



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

A matter regarding Wall Financial Corporation
and [tenant name suppressed to protect privacy]

DECISION

Dispute Codes MND, MNDC, MNSD, FF

Introduction

This hearing dealt with the landlord's Application for Dispute Resolution seeking a monetary order.

The hearing was conducted via teleconference and was attended by the landlord's agent and both tenants.

At the outset of the hearing the landlord amended his Application to reduce the amount of the claim to be \$620.35 from \$1,928.60.

Issue(s) to be Decided

The issues to be decided are whether the landlord is entitled to a monetary order for unpaid rent; for all or part of the security deposit and to recover the filing fee from the tenants for the cost of the Application for Dispute Resolution, pursuant to Sections 37, 38, 67, and 72 of the *Residential Tenancy Act (Act)*.

Background and Evidence

The landlord provided a copy of a tenancy agreement signed by the parties on July 27, 2010 for a 6 month fixed term tenancy beginning on August 1, 2010 that converted to a month to month tenancy on February 1, 2011 for a monthly rent of \$850.00 due on the 1st of each month with a security deposit of \$412.50 and a pet damage deposit of \$200.00 paid. The tenancy ended on March 31, 2013.

The parties had previously agreed in writing that the landlord could retain \$226.60 from the deposits for drape cleaning and bathroom countertop repairs. At the start of this hearing the tenants also agreed that they owed the landlord for tub and tile repairs in the amount of \$393.75.

Analysis

In the absence of any testimony from the tenants to dispute the landlord's claim I find the landlord has established the tenants owe the landlord \$620.35 for costs incurred by the landlord at the end of the tenancy as a result of the condition of the rental unit.

Conclusion

I find the landlord is entitled to monetary compensation pursuant to Section 67 in the amount of **\$670.35** comprised of \$25.00 drape cleaning; \$201.60 bathroom countertop repairs; \$393.75 tub and tile repairs and the \$50.00 fee paid by the landlord for this application.

I order the landlord may deduct the security deposit and pet damage deposit held in the amount of \$612.50 in partial satisfaction of this claim. I grant a monetary order in the amount of **\$57.85**.

This order must be served on the tenants. If the tenants fail to comply with this order the landlord may file the order in the Provincial Court (Small Claims) and be enforced as an order of that Court.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: July 08, 2013

Residential Tenancy Branch